

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
Civil Action No. 5:20-CV-00524-FL**

**JAMES BLACKMON, a/k/a Jimmy
Andrew Underwood, by and through his
GUARDIAN OF THE ESTATE, PAUL
TRUETT CANADY, II,**
Plaintiff,

v.

**JAMES HOLDER, in his individual
capacity, ANDREW MUNDAY, in his
individual capacity, and THE CITY OF
RALEIGH,**

Defendants.

**DEFENDANT JAMES HOLDER'S
MOTION FOR JUDGMENT ON
THE PLEADINGS**

NOW COMES Defendant James Holder (“Holder”), through counsel and pursuant to Rules 12(b)(6) and 12(c) of the Federal Rules of Civil Procedure and Rules 7.1(e) and 7.2(a) of the Local Civil Rules of Practice and Procedure for the United States District Court for the Eastern District of North Carolina, and respectfully moves the Court for an Order dismissing all remaining claims alleged against Holder in this action, with prejudice.

In support of this Motion, Holder relies on the Memorandum of Law in Support of Motion for Judgment on the Pleadings, filed contemporaneously herewith pursuant to E.D.N.C. Local Civil Rules 7.1 and 7.2, and the pleadings of record in this action.

WHEREFORE, Defendant James Holder respectfully requests that the Court issue an Order granting judgment on the pleadings and dismissing, with prejudice, the remaining claims alleged against him in this action.

Respectfully submitted this 24th day of March, 2022.

/s/ Jason R. Benton

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this date, the foregoing **DEFENDANT JAMES**
HOLDER'S MEMORANDUM OF LAW IN SUPPORT OF MOTION FOR JUDGMENT
ON THE PLEADINGS was electronically filed with the Clerk of Court using the CM/ECF
system, which will automatically send notification and serve same upon counsel of record via the
Court's electronic case filing system.

This the 24th day of March, 2022.

/s/ Jason R. Benton

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